JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN: Judge John G. Heyburn II United States District Court Western District of Kentucky MEMBERS: Judge D. Lowell Jensen United States District Court Northern District of California

Judge J. Frederick Motz United States District Court District of Maryland

Judge Robert L. Miller, Jr. United States District Court Northern District of Indiana Judge Kathryn H. Vratil United States District Court District of Kansas

Judge David R. Hanson United States Court of Appeals Eighth Circuit

Judge Anthony J. Scirica United States Court of Appeals Third Circuit

DIRECT REPLY TO:

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http://www.jpml.uscourts.gov

July 16, 2007

FILED LODGER

JUL 20 2007

AT SEATTLE GLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON

William T. Walsh, Clerk 1050 Mitchell H. Cohen U.S. Courthouse 400 Cooper Street Camden, NJ 08102

Re: MDL-1850 -- IN RE Pet Food Products Liability Litigation

(See Attached CTO-1)

Dear Mr. Walsh:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on June 28, 2007. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferce clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi Clerk of the Panel CO7-575 CO7-684 CO7-576 (07-685 CO7-634 CO7-6666

CO7-667

Attachment

Transferee Judge:

Transferor Judges: Transferor Clerks:

Judge Noel L. Hillman (See Attached List of Judges) (See Attached List of Clerks) 68188) ()) 6118181 (988) ((18)8 ((186)) (18)

07-CV-00575-BCST

Deputy Clerk

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

JUN 2 8 2007

FILED CLERK'S OFFICE

DOCKET NO. 1850

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE PET FOOD PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

On June 19, 2007, the Panel transferred 12 civil actions to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See _F.Supp.2d_ (J.P.M.L. 2007). With the consent of that court, all such actions have been assigned to the Honorable Noel L. Hillman.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Hillman.

Pursuant to Rule 7.4 of the <u>Rules of Procedure of the Judicial Panel on Multidistrict Litigation</u>, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of New Jersey for the reasons stated in the order of June 19, 2007, and, with the consent of that court, assigned to the Honorable Noel L. Hillman.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is pending at this time, the stay is lifted.

JUL 1 6 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Jeffery N. Lüthi

Clerk of the Panel

PAGE 1 OF 3

SCHEDULE CTO-1 - TAG-ALONG ACTIONS **DOCKET NO. 1850** IN RE PET FOOD PRODUCTS LIABILITY LITIGATION

IN REPET FOOD PRODUCTS LIABILITY LITIGATION		
DIST. DIV. C.A. #	CASE CAPTION	
ARKANSAS EASTER	N	
ARE 4 07-376	Scott Staccy, et al. v. Nestle SA, et al.	
ARKANSAS WESTER	N	
ARW 4 07-4036	Kirby Cooper v. Menu Foods Income Fund, et al.	
ARW 5 07-5065	Sandra L. Gray, et al. v. Menu Foods, et al.	
CALIFORNIA CENTR	AL	
CAC 2 07-1987	Paul Randolph Johnson, et al. v. Menu Foods, Inc., et al.	
CAC 2 07-2060	Dawn Howe v. Menu Foods Ltd., et al.	
CAC 2 07-2253	Lois Grady, et al. v. Menu Foods Income Fund, et al.	
CAC 2 07-2338	Kelly Finestone v. Menu Foods, Inc., et al.	
CAC 2 07-2476	Richard Chamberlain v. Nestle SA, et al.	
CAC 2 07-2779	Ken Wahl, et al. v. Menu Foods Income Fund, et al.	
CAC 2 07-2964	Jayne Englander, et al. v. Menu Foods Income Fund, et al.	
CAC 5 07-398	Dennis Lee Townsend, et al. v. Menu Foods Ltd., et al.	
CALIFORNIA EASTE	RN	
CAE 2 07-654	Cheryl Carver v. Del Monte Foods Co., et al.	
CALIFORNIA NORTI	HERN	
CAN 3 07-1809	Sherry Ingles v. Menu Foods, Inc., et al.	
CAN 3 07-2665	Dianc Lowery v. Menu Foods Income Fund, et al.	
CALIFORNIA SOUTH	IERN	
CAS 3 07-705	Robert Payne, et al. v. Menu Foods, Inc., et al.	
CAS 3 07-706	Diane Swarberg v. Menu Foods Holding, Inc., et al.	
CAS 3 07-734	Hayley Ford, et al. v. Menu Foods Income Fund, et al.	
CAS 3 07-951	John Colliard v. Menu Foods, Inc., et al.	
COLORADO .		
CO 1 07-736	Emily Tompkins v. Menu Foods Midwest Corp., et al.	
FLORIDA MIDDLE		
FLM 2 07-235	Maria Teresa Ferrarese v. Menu Foods, Inc., et al.	
FLM 6 07-803	George Birney, et al. v. Menu Foods, Inc.	
FLORIDA SOUTHERI	N	
FLS 1 07-20955	Stephen Donnelly, et al. v. Menu Foods, Inc., et al.	
IDAHO		
ID 1 07-160	Larry Klimes, et al. v. Menu Foods	
ILLINOIS NORTHERI	N	
ILN 1 07-2162	Heather Amro v. Menu Foods Income Fund, et al.	
ILN 1 07-2183	Gary Bruski v. Menu Foods, Inc., et al.	
ILN 1 07-2211	Raymond Demith, et al. v. Nestle Purina Petcare Co., et al.	
ILN 1 07-2237	Sonja Foxe v. Menu Foods, Inc., et al.	

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SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

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DIST. DIV. C.A. # CASE CAPTION

MASSACHUSETTS

MA 1 07-10745 Lidia Rodrigues v. Menu Foods, Inc., et al.

MA 1 07-10797 Megan Connerton, et al. v. Menu Foods Midwest Corp., et al.

MAINE

ME 2 07-54 Mara Brazilian v. Menu Foods Income Fund, et al.

MINNESOTA

MN 0 07-1808 Stephanie Rozman v. Menu Foods Midwest Corp., et al. MN 0 07-2108 Wendy Krosschell v. Menu Foods Income Fund, et al.

MISSOURI WESTERN

MOW 3 07-5041 Richard Schwinger v. Menu Foods, et al.

MISSISSIPPI SOUTHERN

MSS 5 07-105 Sarah Cavin v. Menu Foods, et al.

NEVADA

NV 2 07-686 Maragaret Picus v. Wal-Mart Stores, Inc., et al. Opposed 7-16-07

NV 3 07-159 Marion Streezyn v. Menu Foods, Inc., et al.

NEW YORK SOUTHERN

NYS 1 07-3236 Mark Cashman, et al. v. Menu Foods Midwest Corp., et al.

OHIO NORTHERN

OHN 1 07-1018 Gregory Bochm v. Menu Foods, Inc., et al.

PENNSYLVANIA MIDDLE

PAM 1 07-929 Dixic Keller v. Mcnu Foods Ltd., et al.

RHODE ISLAND

RI 1 07-115 Carol Brown v. Menu Foods, Inc., et al.

TENNESSEE EASTERN

TNE 3 07-98 Barbara Light v. Menu Foods Income Fund

WASHINGTON WESTERN

WAW 2 07-575 Laura Migliore v. Menu Foods WAW 2 07-576 Gail Moran v. Menu Foods WAW 2 07-577 Sheryl Puett v. Menu Foods Daniel Ray Reeves v. Menu Foods WAW 2 07-634 Sheree A. Robinson v. Menu Foods WAW 2 07-666 Phyllis A. Ullman v. Menu Foods WAW 2 07-667 Elizabeth Palmer v. Menu Foods WAW 2 07-668 WAW 2 07-669 Jason Labbate v. Menu Foods WAW 2 07-670 Megan Whitt v. Menu Foods

WAW 2 07-684 Linda Weitz v. Menu Foods WAW 2 07-685 Michelle Adams v. Menu Foods Case 2:07-cv-00576-JCC Document 6 Filed 07/20/2007 Page 5 of 13

SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

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DIST. DIV. C.A. #	CASE CAPTION
WAW 2 07-686	Lerac Dineen v. Menu Foods
WAW 2 07-687	Sandra Shingle v. Menu Foods
WAW 2 07-688	Gary Thomas v. Menu Foods
WAW 2 07-689	Deborah A. Mullen v. Menu Foods
WAW 2 07-690	Helen Percy v. Menu Foods
WAW 2 07-745	Paula Monk v. Menu Foods
WAW 2 07-746	Tony Boyer v. Menu Foods
WAW 2 07-747	Norman Brenton v. Menu Foods
WAW 2 07-748	Lynda Nagel v. Menu Foods
WAW 2 07-749	Teresa Eilers v. Menu Foods
WAW 3 07-5204	Jeff Rusiecki v. Menu Foods
WAW 3 07-5205	Nancy Guthrie v. Menu Foods
WISCONSIN WESTF	RN
WIW 3 07-159	Jacqueline Johnson v. The Procter & Gamble Co., et al.
WIW 3 07-248	Penny J. Roberts, et al. v. Menu Foods Income Fund, et al.

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PAGE 2 OF 3

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PAGE 3 OF 3

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